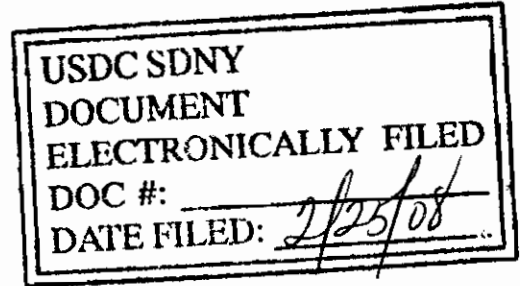


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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
SEATREK TRANS PTE LTD., :
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Plaintiff, :
:
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v. :
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REGALINDO RESOURCES PTE LTD., :
:
:
Defendant. :
:
-----X

08 CIV 00551 (LAP)

ORDER TO SHOW CASE

WHEREAS, Plaintiff, Seatrek Trans Pte Ltd., (Seatrek), has filed this action in connection with a breach of fixture agreement claim against the Defendant, Regalindo Resources Pte Ltd. ("Regalindo"), alleging damages against Regalindo.

WHEREAS, Seatrek has obtained an order of maritime attachment and garnishment in the amount of \$3,777,200 pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Foreclosure Actions ("Admiralty Rules") in connection with its claim against Regalindo; and

WHEREAS, The Bank of New York ("BONY"), as Garnishee, was an intermediary bank in an electronic funds transfer between HSBC in Singapore and PT Bank NISP Tbk in Jakarta, Indonesia.

WHEREAS, the defendant Regalindo, whose funds have been restrained by BONY as a consequence of the attachment in the amount of \$249,975 asserts that the complaint should be dismissed and process of maritime attachment and garnishee should be vacated because, including, but not limited to, this Court lacks admiralty and maritime jurisdiction over Regalindo since substantive due process standards for exerting jurisdiction over a maritime defendant has not been satisfied, insufficiency of process, insufficiency of service of process on BONY, and Regalindo denies the existence of a maritime contract and the validity of the fixture agreement with Seatrek,

WHEREAS, no prior request for this or any similar relief has been sought in this action,

NOW, UPON THE MOTION of Regalindo pursuant to FRCP, Rule 12 (b)(1) and to Supplemental Admiralty Rule E and Local Admiralty Rule E.1 (which defines the term "prompt hearing" found in Rule E to mean "within three court days"), the supporting Declaration of Phua Teck Chew dated 22 February 2008 ("Phua Decl."), Affidavit of Donald J. Kennedy dated February 22, 2008 ("Kennedy Aff."), Regalindo's supporting Memorandum of Law, and all the pleadings and proceedings had herein,

LET PLAINTIFF SHOW CAUSE before the Honorable Loretta A. Preska, United States District Judge, at 500 Pearl Street, Courtroom 12A, New York, New York, on the 25th day of ~~February~~ March, 2008, at 9:30 o'clock A.M. or as soon thereafter as counsel can be heard, (1) why an order compelling Seatrek to release Regalindo's funds

should not be granted (2) why Seatrek should not be enjoined from serving process of maritime attachment and garnishment and (3) granting Regalindo interest, costs and attorneys fees incurred in connection with this matter; and

LET GARNISHEE BONY to show cause why the funds transfer in question should not be released and promptly produce evidence of the date, time, hour and minutes when (1) BONY was served with process and (2) when BONY received the payment order from HSBC for the funds transfer it blocked; and

LET service of a copy of this Order, the Phua Declaration, the Kennedy Affidavit, and Regalindo's Memorandum of Law, if served upon Seatrek's counsel in this action by hand or by courier to its offices at 405 Lexington Avenue, New York, New York 10174, and on BONY at its offices at 120 Broadway, New York, New York 10271, on or before 5:00 o'clock p.m. on February 26, 2008 at 5:00 P.M. be deemed good and sufficient service; and

IT IS ORDERED that answering papers, if any, shall be filed and served so as to be received by counsel for Regalindo (Carter Ledyard & Milburn LLP) at their offices as set forth above by hand, by courier and/or by email to kennedy@clm.com and sesser@clm.com, on or before the 14th day of ~~February~~ ^{MARCH}, 2008, by noon and reply papers, if any, shall be filed and served so as to be received by counsel for Seatrek as aforesaid at or before five o'clock on the 25th day of ~~February~~ ^{MARCH}, 2008.

Dated: New York, New York
February 25, 2008


The Hon. Loretta A. Preska, U.S.D.J.